

Order Entered.



David L. Bissett

United States Bankruptcy Judge

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF WEST VIRGINIA**

IN RE : OHIO VALLEY UNIVERSITY) Chapter 7
)
)
Debtor) Case No. 5:22-bk-00056
)
)
)

ORDER GRANTING RELIEF FROM THE AUTOMATIC STAY

Upon consideration of the Motion of United Bank for Relief from Automatic Stay (the “Motion”) filed by United Bank (“United”) (ECF Doc. No. 5), and for good cause shown, it is hereby ORDERED as follows:

1. The Motion is GRANTED;
2. The automatic stay under 11 U.S.C. § 362(a) is TERMINATED pursuant to 11 U.S.C. §§ 362(d)(1) and 362(d)(2) as it relates to the setoff rights of United with respect to the deposit accounts held by Ohio Valley University (“Debtor”) at United, specifically denoted as (i) business checking account, Account No. *8859, (ii) business checking account, Account No. *0114, (iii) business checking account, Account No. *1963, (iv) business checking account, Account No. *9343, and business checking account, Account No. *5893 (collectively, the “Business Checking Accounts”).

3. The automatic stay under 11 U.S.C. § 362(a) is TERMINATED pursuant to 11 U.S.C. §§ 362(d)(1) and 362(d)(2) as it relates to the setoff rights of United with respect to the money market account (Account No. *6667) (the “Money Market Account”) held by Debtor at United.

4. United, pursuant to its perfected security interest in the Business Checking Accounts and the Money Market Account, shall be permitted to exercise its setoff rights under the July 29, 2008, Line of Credit Note, the July 8, 2014, Business Loan Agreement, the August 31, 2007, Credit Line Deed of Trust, Security Agreement and Fixture Filing, and applicable state law relating to security interests.

5. Rule 4001(a)(3) of the Federal Rules of Bankruptcy Procedure is not applicable and United may immediately enforce and implement this Order granting relief from the automatic stay with respect to the Business Checking Accounts and the Money Market Account.

Respectfully submitted by:

SPILMAN THOMAS & BATTLE, PLLC

By: /s/ Angela L. Beblo
Angela L. Beblo (WV Bar No. 10345)
300 Kanawha Boulevard, East (ZIP 25301)
Post Office Box 273
Charleston, WV 25321-0273
304.340.3800 / 304.340.3801 (*facsimile*)
Counsel to United Bank